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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/900,468	
	Filing Date	July 9, 2001	
	First Named Inventor	Joe Cargnelli et al	
	Group Art Unit	1745	
	Examiner Name	Initial Patent Examination Division	
Total Number of Pages in This Submission	9	Attorney Docket Number	9351-62 HSF

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i>	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i>
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>
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<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	BERESKIN & PARR
Signature	
Date	February 19, 2002

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**BERESKIN & PARR**

Box 401  
Scotia Plaza  
40 King Street West  
Toronto, Ontario  
Canada M5H 3Y2

Telephone: (416) 364-7311  
Facsimile: (416) 361-1398

**TELEFAX TRANSMITTAL**

TO: Initial Patent Examination Division  
FIRM: United States Patent & Trademark Office  
FAX NO.: 703-308-7751  
FROM: H. Samuel Frost  
DATE: February 19, 2002

PAGES: 12  
(Including cover sheet)

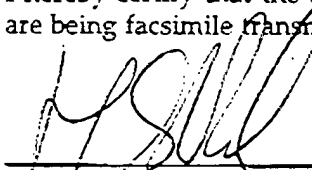
If transmission is interrupted or of poor quality, please notify us immediately by calling Eren Barnett at (416) 957-1600 ext. 6271.

Re: U.S. Patent No. 09/900,468  
Our File: 9351-62

Please find attached a response to the official action mailed December 19, 2001; a copy of the official action; and transmittal form; .

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the attached filing receipt, transmittal sheet and acknowledgement receipt card are being facsimile transmitted to the U.S. Patent & Trademark Office on the date shown below.

  
H. Samuel Frost  
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Date: February 19, 2002

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/900,468	07/09/2001	Joe Cargnelli	9351-62

CONFIRMATION NO. 4144

## FORMALITIES LETTER



Bereskin & Parr  
Box 401  
40 King Street  
Toronto, ON M5H 3Y2  
CANADA

Date Mailed: 12/19/2001

## NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

## FILED UNDER 37 CFR 1.53(b)

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) 9a, 9b, 10a, 10b, 10c, 11a, 11b, 12 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

2006 FEB 20 09:40:06

*A copy of this notice MUST be returned with the reply.*

*h*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

2006 FEB 20 08:54:00